

Kentucky Wimax is a local, independently owned internet service provider located in Central Kentucky. We utilize fixed wireless technology to serve over 1300 customers in 5 counties with broadband speeds of up to 25-50Mbps. The areas that we focus on are typically very rural and lack service by larger national providers. In many cases, we are the only provider able to service our customer's home or business. In other areas, we compete directly with both local and national providers.

The geography of our service area often requires us to utilize fixed wireless equipment in the 3650-3700 Mhz range. WIMAX has allowed us to reach non-line-of-sight areas and provide a much higher (and reliable) level of service than would be possible with other unlicensed point to multi-point equipment in the 900mhz/2.4ghz/5ghz frequencies. In fact, nearly 40% of our client base uses WIMAX equipment in the 3650-3700mhz frequency range.

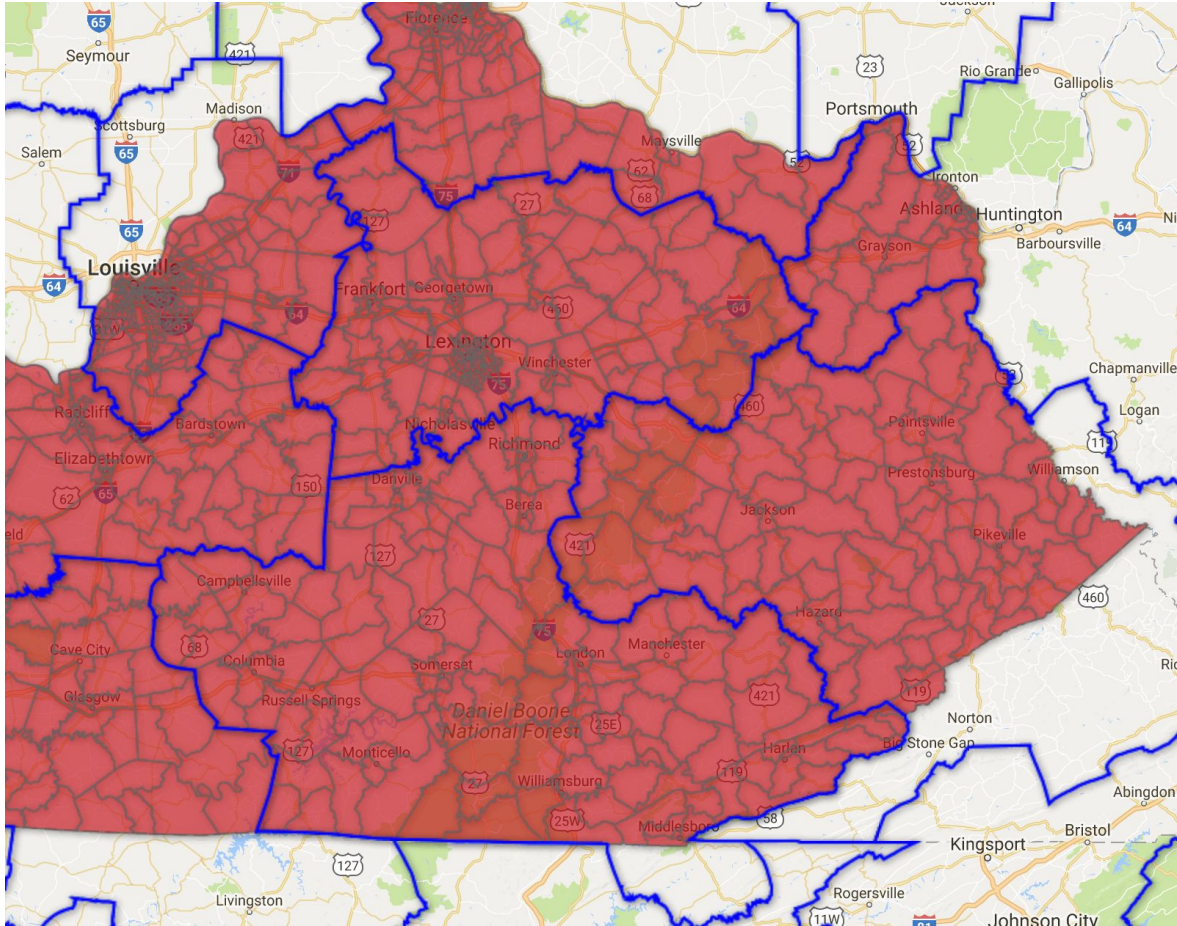
We are currently in the process of testing LTE equipment that will operate in the CBRS band to replace legacy WIMAX equipment that will not be compliant after our NN license expires in 2020. Our investment in this technology requires a substantial capital investment, but it's necessary for us to be able to continue serving rural customers with high speed service where other providers cannot.

We plan to participate in the PAL auctions in order to gain access to additional spectrum in the 3550-3650mhz band. This additional spectrum (set aside for PALs) will allow us to:

- Deploy equipment more densely in our existing service areas, bringing service closer to the end-user.
- Decrease the potential for self-interference since additional frequency is available to assist with frequency planning.
- Increase the overall throughput and quality of service available to serve our customers.

The rule changes proposed by the NPRM which increase the size of PALs and lengthen the term of licenses would most certainly put our company at a disadvantage to that of larger nationwide carriers. Not only would it make the cost of acquiring protected PALs much more expensive (due to the fact that the Partial Economic Areas (PEAs) are much larger than census tracts), but it would also essentially provide a perpetual license (10 years) to the winners of these auctions. Even if our company had the financial means to outbid the large providers, we would be forced to acquire licenses for areas that are much larger than what we are capable of servicing.

To illustrate, the below map indicates that we would need to win bids for three (3) PEA's in order to service our existing footprint:



The three PEA's that we would need to win cover a *far* larger area than would be possible for us to service and would require capital exceeding what we are capable of investing.

The proposed rule changes to increase the size of PALs and lengthen the term of licenses will put our company at a distinct disadvantage. To quote Chairman Pai – “...the government shouldn’t be in the business of picking winners and losers in the Internet economy. We should have a level playing field and let consumers decide who prevails.”<sup>[1]</sup> In this context, a “level playing field” would be one where companies, small and large alike, can compete for consumers. The proposed rule changes hinder this ability and therefore we oppose them.

[1] <https://www.theverge.com/2017/12/14/16777626/ajit-pai-net-neutrality-speech>